



2132

NTRU-55769

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Jeffrey Hoffstein and Joseph H. Silverman

Serial No. : 09/939,531

Group : 2132

Filed : August 24, 2001

Examiner: Kambiz Zand

For : SPEED ENHANCED CRYPTOGRAPHIC METHOD AND APPARATUS

LETTER REQUESTING THAT THE PTO COMPLY
WITH PREVIOUSLY FILED POWER OF ATTORNEY
AND CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being
deposited with the United States Postal Service as
first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria,
VA 22313-1450, on May 25, 2005

(Date of Deposit)

Name of applicant, assignee, or registered rep.

Signature

Date

Sir:

On February 11, 2005, Applicant filed, under Certificate of Mailing, a submission that included, inter alia, a Statement Under 37 CFR 3.73(b) and a Revocation Of Power Of Attorney; New Power Of Attorney; and Change Of Correspondence Address (copies attached for reference). The submission was received at the USPTO on February 17, 2005, as evidenced by the date stamped acknowledgement postcard (copy also attached).

Notwithstanding the foregoing, the PTO recently sent correspondence (a Notice of Allowability, etc. dated May 12, 2005, copy also attached for reference) to the prior attorneys whose power had been revoked. Fortunately, the prior attorneys sent the correspondence to the undersigned Counsel.

Applicant respectfully requests the following:

1) That the USPTO properly implement the Revocation of Power of Attorney, new Power of Attorney and Change of Correspondence Address (as should have previously been done), and check to be sure that the PTO file indicates that the present correspondence address is:

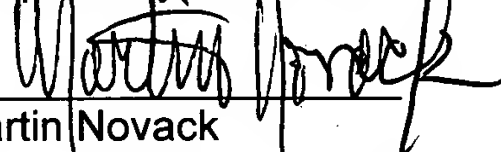
Martin Novack
16355 Vintage Oaks Lane
Delray Beach, FL 33484

Tel.: 561-498-4706
Fax..561-498-4027

2) That the expected Notice of Allowance be sent to the proper correspondence address and that, if the Notice of Allowance has already been mailed to an incorrect address, that it be re-mailed to the proper correspondence address, with a re-starting of the period for response.

Delray Beach, Florida
Phone: (561)498-4706
Fax : (561)498-4027
May 25, 2005

Respectfully submitted,



Martin Novack
Attorney for Applicant(s)
Reg. No. 25,164

(T-40)



COPY

This acknowledges receipt at the PTO, on the date indicated, of:
AMENDMENT (10 sheets) ; POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS (2 sheets); STATEMENT UNDER 37 CFR 3.73(b); PETITION FOR EXTENSION OF TIME; CHECK FOR \$60

in the following application:
Applicants: Jeffrey Hoffstein et al.

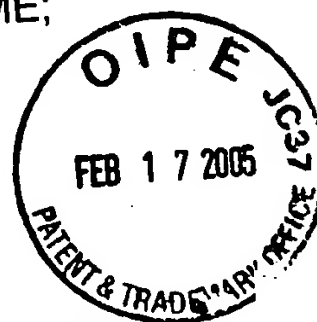
Serial No.: 09/939,531

Filed : August 24, 2001

For : SPEED ENHANCED

CRYPTOGRAPHIC METHOD AND APPARATUS

Docket No.: NTRU-55769





NTRU-55769

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Jeffrey Hoffstein and Joseph H. Silverman

COPY

Serial No. : 09/939,531

Group : 2132

Filed : August 24, 2001

Examiner : Kambiz Zand

For : SPEED ENHANCED CRYPTOGRAPHIC METHOD AND APPARATUS

REVOCATION OF POWER OF ATTORNEY;
NEW POWER OF ATTORNEY; and CHANGE OF
CORRESPONDENCE ADDRESS

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being
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first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria,
VA 22313-1450, on 2/11/05

(Date of Deposit)

Name of applicant, assignee, or registered rep.

Signature

Date

Sir:

The undersigned, NTRU Cryptosystems, Incorporated, is the assignee of record
of the entire right, title, and interest in the above-captioned Application. A statement
under 37 CFR 3.73(b) is submitted herewith.

All previous powers of attorney given in the above-captioned Application are
hereby revoked.

Martin Novack, Reg. No. 25,164, is hereby appointed as attorney to represent
the undersigned before the United States Patent and Trademark Office (USPTO) in
connection with the above-captioned Application.

Please change the correspondence address for the above-identified application

to:

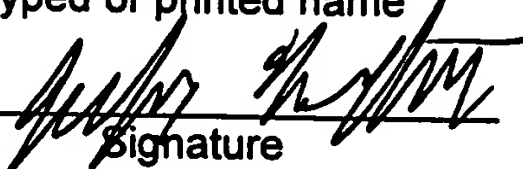
Martin Novack
16355 Vintage Oaks Lane
Delray Beach, FL 33484

Telephone: 561-498-4706
Fax : 561-498-4027

The undersigned (whose title is supplied below) is authorized to act on behalf of
the assignee, NTRU Cryptosystems, Incorporated.

1/18/05
Date

Jeffrey Hoffstein
Typed or printed name


Signature

Chairman of the Board
Title

(P-16)



NTRU-55769

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Jeffrey Hoffstein and Joseph H. Silverman

Serial No. : 09/939,531

Group : 2132

COPY

Filed : August 24, 2001

Examiner: Kambiz Zand

For : SPEED ENHANCED CRYPTOGRAPHIC METHOD AND APPARATUS

STATEMENT UNDER 37 CFR 3.73(b)

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 2/11/05

Martin Novack
Name of applicant, assignee, or registered rep.
[Signature]
Signature
Feb 11, 2005
Date

NTRU Cryptosystems, Incorporated states that it is the assignee of the entire right, title, and interest in the above-captioned Application by virtue of an assignment from the inventors of the above-captioned Application which was recorded at the United States Patent and Trademark Office at Reel 012244, Frame 0956.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee, NTRU Cryptosystems, Incorporated.

1/18/05

Date

Jeffrey Hoffstein

Typed or printed name

[Signature]
Signature

Chairman of the Board

Title

GWN 25769 (41230)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,531	08/24/2001	Jeffrey Hoffstein	41,230/55769	2439

21874 7590 05/12/2005

EDWARDS & ANGELL, LLP
P.O. BOX 55874
BOSTON, MA 02205

EXAMINER

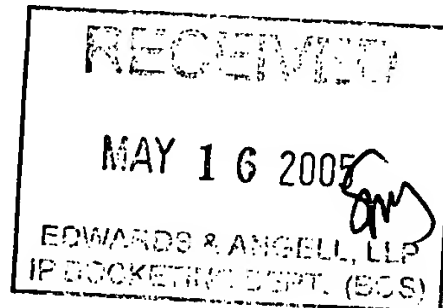
ZAND, KAMBIZ

ART UNIT PAPER NUMBER

2132

DATE MAILED: 05/12/2005

TRANSFERRED



COPY

Please find below and/or attached an Office communication concerning this application or proceeding.

Examiner-Initiated Interview Summary



Application No.

09/939,531

Applicant(s)

HOFFSTEIN ET AL.

Examiner

Kambiz Zand

Art Unit

2132

All Participants:

(1) Kambiz Zand.

(2) Martin Novack.

Status of Application: _____

(3) _____.

(4) _____.

Date of Interview: 9 May 2005

Time: 2:05 PM

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

101 issue.

Claims discussed:

62-72

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

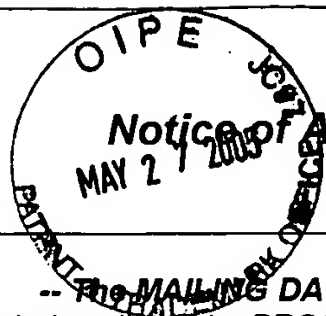
☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: It was agreed that claims 62-72 are subject to 101 non-statutory rejection due to the use of the phrase "carrier wave signal" used on page 4 of the specification. It was further agreed that in order to resolve the 101 issue, the specification be amended by Examiner's amendment by deleting the phrases "; or on carrier wave signal received through a network, wireless network or modem, including radio-frequency signals and infrared signals" from lines 32-34 of page 4 of the specification. It was also agreed that the phrase "excluding" be added instead of the phrase "or" on line 26 of page 4 of the specification. It was understood that the above changes would resolve the 101 issue and the claims would be allowable as the result.



Application No.	Applicant(s)	
09/939,531	HOFFSTEIN ET AL.	
Examiner	Art Unit	
Kambiz Zand	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 02/17/2005.
2. ☒ The allowed claim(s) is/are 40-72, NOW, RE-NUMBERED AS CLAIMS 1-33.
3. ☒ The drawings filed on 24 August 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>enclosed</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Kambiz Zand

DETAILED ACTION
EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Martin Novack on 05/09/2005.

The application has been amended as follows:

Specification, page 4, starting at line 24

The following definition is used for purpose of describing the present inventions. A computer readable medium shall be understood to mean any article of manufacture that contains data that can be read by a computer [or]excluding a carrier wave signal carrying data that can be read by a computer. Such computer readable media includes but is not limited to magnetic media, such as floppy disk, a flexible disk, a hard disk, reel-to-reel tape, cartridge tape, cassette tape or cards; optical media such as CD-ROM and writeable compact disc; magneto-optical media in disc, tape or card form; paper media, such as punched cards and paper tape[; or on carrier wave signal received through a network, wireless network or modem, including radio-frequency signals and infrared signals].

2. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.
3. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.
4. Priority to U.S. Provisional Application Serial No. 60/228,557, filed August 29, 2000 have been acknowledged.
5. Examiner withdraws U.S.C 112 rejection of claims 2 and 7 due to cancellation of the claim by the Applicant.
6. Claims 1-39 have been cancelled.
7. New claims 40-72 have been added.
8. Claims 40-72, now, re-numbered as claims 1-33 are pending.

Response to Arguments

9. Applicant's arguments filed 02/17/2005 have been fully considered and they are persuasive.

Allowable Subject Matter

10. **Claims 40-72 are allowed.**

Conclusion

11. Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "comments on statement of reasons for allowance."
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (703) 306-4169. The examiner can normally be reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kambiz Zand

09
05/09/2005

AU 2132